

# **LOBBYISTS, SPECIAL INTERESTS & HOUSE GOP LEADERSHIP LOAD UP AIRLINE INSECURITY BILL**

Last week, the House Republican leadership defeated the Senate-passed airline security bill, and instead passed their airline insecurity bill – a measure that continued the current failed system of private contractors screening passengers and baggage. This result came about despite the overwhelming popularity of the Senate proposal to put federal law enforcement in charge of airline security.

House Republican Leaders were able to do this by unleashing lobbyists, and then putting in special interest provisions in the bill at the last minute. “The Republican Leadership was working this so hard that Mr. Ramstad, a House Republican said, “we are still hearing the bones crunching’ from Mr. DeLay’s ‘pressure job.’” (*New York Times*, 11/3/01) The following describes the lengths to which the House Republican Leaders and lobbyists went to pass their airline insecurity bill – that maintains the failing status quo of private contractors conducting security screening.

## ***House GOP Leadership Enlist Special Interest Lobbyists***

First, House Republicans enlisted lobbyists, including those representing the private contracting companies who stand to lose millions under the Senate bill, to work House members. As the *New York Times* reported, “In the battle this week in the House over aviation security, the very survival of one group of businesses was at stake: the private security companies that employ screeners at airports around the country. Seven companies would lose their contracts under a Senate-passed bill, which seeks to turn 28,000 baggage screeners into federal workers. To prevent that, the companies worked closely with House Republican leaders and eked out a victory on Thursday night, when the House approved a Republican bill that would allow the companies to stay in business but answer to the federal government instead of the airlines.” (*New York Times*, 11/3/01)

**DeLay, Blunt Urged Industry Lobbyists To Pressure Republican Lawmakers On Aviation Security Vote.** Reps. Tom DeLay (R-TX) and Roy Blunt (R-MO), Republican Whip and Deputy Whip respectively, told airport security lobbyists “If you want to be on good terms with the whip’s office, start telling lawmakers to support the GOP legislation to tighten baggage screening at airports.” (*Washington Post*, 10/20/01)

**Aviation Security Association Formed After September 11, Represented By Former Republican FAA Officials.** After the terrorist attacks on September 11, 2001, the private contracting companies that provide security at airports formed the Aviation Security Association to protect their interests. The Aviation Security Association hired Kenneth Quinn, general counsel of the Federal Aviation Administration (FAA) under former President Bush, to be their lawyer. They also hired Ungaretti & Harris, led by Ed Faberman, FAA Deputy Counsel under President Reagan, to lobby on behalf of the association. (*St. Louis Post-Dispatch*, 10/15/01; *New York Times*, 10/10/01)

**Lobbyist Opposing Federalization Investigated by Justice for Security Problems.** The President of the Aviation Security Association, Brian Barbour, is also president of the largest provider of security personnel in the United States, Argenbright Intl. Argenbright "was assessed \$2.3 million in fines and restitution" stemming from a May 2000 settlement, and recently settled with the Department of Justice for "[failing] to bring in outside auditors to ensure that employees had gone through required background checks..." as part of the May 2000 settlement. In response to proposed federalization of baggage screeners, Barbour said, "the wholesale government takeover of airport security would... be far less effective than a strong public-private sector partnership..." despite the failures of his own private company. (*Associated Press*, 10/4/01; *Washington Post*, 10/20/01)

**Airline Contracts With Screening Companies Worth \$500 Million Annually.** It is estimated that security firms contracted to provide screening employees by the airlines have contracts totaling \$500 million a year. Ed Faberman, former FAA deputy counsel under President Reagan and representative of the Aviation Security Association, noted, "It's a big piece of work... It's certainly not something [screening companies] want to give up." (*St. Louis Post-Dispatch*, 10/15/01)

**Private Contractors So Desperate to Maintain Status Quo That They Threatened Lawsuit If Airport Security Was Federalized.** "London-based Securicor -- the biggest of the three companies that provide almost all airport security in the United States -- was threatening to sue [the federal government] for damages if baggage screening is taken over by federal employees." (*New York Times*, October 28, 2001)

### ***House GOP Leadership Inserts Special Interest Provisions to Buy Votes***

At the last minute, the House Republican Leadership, scrambling to pass their status quo bill, offered up an amendment filled with special-interest provisions designed to get a few more votes. As the *New York Times* reported, "When Republican leaders still came up short of votes, they asked undecided lawmakers what they wanted, then they pulled out their pens and attended to their needs." (*New York Times*, 11/3/01) Republicans added these extraneous provisions sought by specific companies and industries to enlarge support and increase lobbying pressure for the bill.

The following list is just some of the special interest provisions added to the House airline insecurity bill in the hours leading up to the partisan vote.

- Extends terrorist liability protection to what only can be characterized as "unnamed parties" and for what can only be termed "unknowable liability." (This would cover Boeing, General Electric, United Technologies subsidiary Pratt and Whitney, New York's Port Authority, and even companies that made the glass for the World Trade Center. But it would go further, limiting the liability of the private contractors charged with aviation security screening.)
- Modifies the executive pay freeze for airline executives in the airline stabilization bill sought by Democrats, affecting CEO's earning more than \$300,000, to exempt pay from deferred compensation plans from the freeze. (This provision was later deleted)

after the press caught wind of this windfall for airline executives and, reportedly, an undecided GOP Member found it offensive and asked it be removed as a price for his vote.);

- As a favor to the credit card companies, requires air carriers to honor passenger tickets of other carriers whose flights were disrupted by terrorism, insolvency or bankruptcy;
- To benefit hatcheries, allows air carriers that transport mail under contract with the Postal Service to transport any animals that already may be shipped by the Postal Service;
- Allows musical instruments to be carried on board, regardless of other restrictions on carry-on baggage – sought by the American Federation of Musicians; and
- Allows airline caterers to share in the bill's \$1.5 billion authorization.

**Key senators have made it clear that they will not accept these special interest pay offs.** “The one thing we fought against was any extraneous amendments, including an employment package, and now they’re [House Republican Leadership] loading it up,” Sen. John McCain said when told of the amendment. “Obviously, it’s an attempt to get votes. I just don’t understand why they would do this.” (*CQ Weekly*, 11/3/01)

“We think it's very important that this be aviation security only,” said Kay Bailey Hutchison of Texas. (*CQ Weekly*, 10/13/01)

In fact, *Newsday* reported that “the House and the Senate now stand further apart than ever because the House, approving its aviation security measure Thursday night, tacked on provisions to help business sectors, most notably the World Trade Center owner and landlord. ‘We will never agree to that,’ said Sen. John McCain (R-Ariz.), a sponsor of the Senate measure, which deals only with aviation security. ‘Those are provisions written by K Street lobbyists.’” (*Newsday (New York, NY)*, 11/3/01)

As the airline security bill goes to conference, Congress must put the public interest and safety first, and leave the special interests that dominated House consideration of the bill behind.